

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT**Docket Number (Optional)
005126.00003

Re Application of: Aaron I. Vinik et al.

Application No. 09/659,379

Filed: September 8, 2000

For: HIGH LEVEL EXPRESSION OF INGAP IN BACTERIAL AND EUKARYOTIC CELLS

The owner*, EASTERN VIRGINIA MEDICAL SCHOOL OF THE MEDICAL COLLEGE OF HAMPTON ROADS of 100 % percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 5,840,531. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2. ☒ The undersigned is an attorney of record.


Signature

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Date

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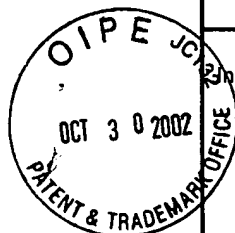
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